

section 1604 of this title, availability of unexpended balances of prior appropriations and consolidation thereof with the appropriation so authorized, and maximum amount of \$50,000,000 of such funds (excluding balances of appropriations continued available) may be accounted for as provided in subsection (a) of this section, see section 1701 of this title.

§ 1604. Appropriations for general area of China.

(a) In consideration of the concern of the United States in the present situation in China, there is authorized to be appropriated to the President, out of any moneys in the Treasury not otherwise appropriated, the sum of \$75,000,000 in addition to funds otherwise provided as an emergency fund for the President, which may be expended to accomplish in that general area the policies and purposes declared in this chapter. Certification by the President of the amounts expended out of funds authorized hereunder, and that it is inadvisable to specify the nature of such expenditures, shall be deemed a sufficient voucher for the amounts expended.

(b) In addition to the amounts heretofore authorized to be appropriated, there are authorized to be appropriated to the President, out of any moneys in the Treasury not otherwise appropriated, the sum of \$75,000,000, to be used as provided in subsection (a) of this section, of which not more than \$35,000,000 may be accounted for as therein provided and any amount accounted for in such manner shall, with the exception of \$7,500,000, be reported to the Committee on Foreign Relations of the Senate, the Committees on Armed Services of the Senate and of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives. (Oct. 6, 1949, ch. 626, title III, § 303, 63 Stat. 716; July 26, 1950, ch. 491, § 8, 64 Stat. 375.)

AMENDMENT

1950—Act July 26, 1950, designated entire former section to be subsection (a), and added subsection (b).

APPROPRIATION FOR FISCAL YEAR 1953

Maximum of \$564,807,500 authorized for fiscal year 1953, under Mutual Security Act of 1951, to carry out in the general area of China (including the Republics of the Philippines and Korea) the provisions of subsection (a) of this section, availability of unexpended balances of prior appropriations and consolidation thereof with the appropriation so authorized, and maximum amount of \$50,000,000 of such funds (excluding balances of appropriations continued available) may be accounted for as provided in subsection (a) of this section, see section 1701 of this title.

Chapter 20A.—MUTUAL DEFENSE ASSISTANCE CONTROL PROGRAM

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SUBCHAPTER I—WAR MATERIALS

§ 1611. Congressional declaration of policy; embargo on war materials; denial of assistance to nations failing to embargo shipments; administration of chapter.

The Congress of the United States, recognizing that in a world threatened by aggression the United States can best preserve and maintain peace by developing maximum national strength and by utilizing all of its resources in cooperation with other free nations, declares it to be the policy of the United States to apply an embargo on the shipment of arms, ammunition, and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination, in order to (1) increase the national strength of the United States and of the cooperating nations; impede the ability of nations threatening the security of the United States to conduct military operations; and (3) to assist the people of the nations under the domination of foreign aggressors to reestablish their freedom.

It is further declared to be the policy of the United States that no military, economic, or financial assistance shall be supplied to any nation unless it applies an embargo on such shipments to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination.

This chapter shall be administered in such a way as to bring about the fullest support for any resolution of the General Assembly of the United Nations, supported by the United States, to prevent the shipment of certain commodities to areas under the control of governments engaged in hostilities in defiance of the United Nations. (Oct. 26, 1951, ch. 575, title I, § 101, 65 Stat. 645.)

SHORT TITLE

Congress in enacting this chapter provided in section 1 of act Oct. 26, 1951, that the chapter should be popularly known as the "Mutual Defense Assistance Control Act of 1951".

§ 1611a. Responsibility for administration.

Responsibility for giving effect to the purposes of this chapter shall be vested in the person occupying the senior position authorized by subsection (e) of section 1577 of this title, or in any person who may hereafter be charged with principal responsibility for the administration of the provisions of the Mutual Defense Assistance Act of 1949. Such per-

son is hereinafter referred to as the "Administrator." (Oct. 26, 1951, ch. 575, title I, § 102, 65 Stat. 645.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in the text, is classified to chapter 20 of this title.

ABOLISHMENT OF ADMINISTRATION AND TRANSFER OF POWERS AND FUNCTIONS OF ADMINISTRATOR TO DIRECTOR FOR MUTUAL SECURITY

Abolishment of Economic Cooperation Administration and transfer of Administrator's powers and functions to Director for Mutual Security, see section 1653 (a) of this title.

§ 1611b. Determination of items to be embargoed—(a) Adjustments; information to nations receiving assistance.

(a) The Administrator is authorized and directed to determine within thirty days after October 26, 1951, after full and complete consideration of the views of the Departments of State, Defense, and Commerce; the Economic Cooperation Administration; and any other appropriate agencies, and notwithstanding the provisions of any other law, which items are, for the purpose of this chapter, arms, ammunition, and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, and those items of primary strategic significance used in the production of arms, ammunition, and implements of war which should be embargoed to effectuate the purposes of this chapter: *Provided*, That such determinations shall be continuously adjusted to current conditions on the basis of investigation and consultation, and that all nations receiving United States military, economic, or financial assistance shall be kept informed of such determinations.

(b) Termination of assistance; continuation of assistance by Presidential directive; reports to Congress.

(b) All military, economic, or financial assistance to any nation shall, upon the recommendation of the Administrator, be terminated forthwith if such nation after sixty days from the date of a determination under subsection (a) of this section knowingly permits the shipment to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination, of any item which he has determined under subsection (a) of this section after a full and complete investigation to be included in any of the following categories: Arms, ammunition, and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war: *Provided*, That the President after receiving the advice of the Administrator and after taking into account the contribution of such country to the mutual security of the free world, the importance of such assistance to the security of the United States, the strategic importance of imports received from countries of the Soviet bloc, and the adequacy of such country's controls over the export to the Soviet bloc of items of strategic importance, may direct the continuance of such assistance to a country which permits shipments of items other than

arms, ammunition, implements of war, and atomic energy materials when unusual circumstances indicate that the cessation of aid would clearly be detrimental to the security of the United States: *Provided further*, That the President shall immediately report any determination made pursuant to the first proviso of this section with reasons therefor to the Appropriations and Armed Services Committees of the Senate and of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives, and the President shall at least once each quarter review all determinations made previously and shall report his conclusions to the foregoing committees of the House and Senate, which reports shall contain an analysis of the trade with the Soviet bloc of countries for which determinations have been made. (Oct. 26, 1951, ch. 575, title I, § 103, 65 Stat. 645.)

ABOLISHMENT OF ADMINISTRATION AND TRANSFER OF POWERS AND FUNCTIONS OF ADMINISTRATOR TO DIRECTOR FOR MUTUAL SECURITY

Abolishment of Economic Cooperation Administration and transfer of Administrator's powers and functions to Director for Mutual Security, see section 1653 (a) of this title.

§ 1611c. Resumption of assistance.

Whenever military, economic, or financial assistance has been terminated as provided in this chapter, such assistance can be resumed only upon determination by the President that adequate measures have been taken by the nation concerned to assure full compliance with the provisions of this chapter. (Oct. 26, 1951, ch. 575, title I, § 104, 65 Stat. 646.)

§ 1611d. Definitions.

For the purposes of this chapter the term "assistance" does not include activities carried on for the purpose of facilitating the procurement of materials in which the United States is deficient. (Oct. 26, 1951, ch. 575, title I, § 105, 65 Stat. 646.)

SUBCHAPTER II—OTHER MATERIALS

§ 1612. Regulation of exports other than war materials.

The Congress of the United States further declares it to be the policy of the United States to regulate the export of commodities other than those specified in subchapter I of this chapter to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination, in order to strengthen the United States and other cooperating nations of the free world and to oppose and offset by nonmilitary action acts which threaten the security of the United States and the peace of the world. (Oct. 26, 1951, ch. 575, title II, § 201, 65 Stat. 646.)

§ 1612a. Negotiations with recipient countries for control of exports.

The United States shall negotiate with any country receiving military, economic, or financial assistance arrangements for the recipient country to undertake a program for controlling exports of items not subject to embargo under subchapter I of this chapter, but which in the judgment of the Administrator should be controlled to any nation or com-

bination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination. (Oct. 26, 1951, ch. 575, title II, § 202, 65 Stat. 646.)

§ 1612b. Termination of assistance.

All military, economic, and financial assistance shall be terminated when the President determines that the recipient country (1) is not effectively cooperating with the United States pursuant to this subchapter, or (2) is failing to furnish to the United States information sufficient for the President to determine that the recipient country is effectively cooperating with the United States. (Oct. 26, 1951, ch. 575, title II, § 203, 65 Stat. 646.)

SUBCHAPTER III—GENERAL PROVISIONS

§ 1613. Cooperation in program by non-recipient countries.

All other nations (those not receiving United States military, economic, or financial assistance) shall be invited by the President to cooperate jointly in a group or groups or on an individual basis in controlling the export of the commodities referred to in subchapters I and II of this chapter to any nation or combination of nations threatening the security of the United States, including the Union of Soviet Socialist Republics and all countries under its domination. (Oct. 26, 1951, ch. 575, title III, § 301, 65 Stat. 647.)

§ 1613a. Duties of Administrator.

The Administrator with regard to all subchapters of this chapter shall—

(a) coordinate those activities of the various United States departments and agencies which are concerned with security controls over exports from other countries;

(b) make a continuing study of the administration of export control measures undertaken by foreign governments in accordance with the provisions of this chapter, and shall report to the Congress from time to time but not less than once every six months recommending action where appropriate; and

(c) make available technical advice and assistance on export control procedures to any nation desiring such cooperation. (Oct. 26, 1951, ch. 575, title III, § 302, 65 Stat. 647.)

ABOLISHMENT OF ADMINISTRATION AND TRANSFER OF POWERS AND FUNCTIONS OF ADMINISTRATOR TO DIRECTOR FOR MUTUAL SECURITY

Abolishment of Economic Cooperation Administration and transfer of Administrator's powers and functions to Director for Mutual Security, see section 1653 (a) of this title.

§ 1613b. Applicability of other laws; availability of funds.

The provisions of sections 1574 (a), 1575, and 1576 (c), (d) of this title, insofar as they are consistent with this chapter, shall be applicable to this chapter. Funds made available for the Mutual Defense Assistance Act of 1949, as amended, shall be available for carrying out this chapter in such amounts as the President shall direct. (Oct. 26, 1951, ch. 575, title III, § 303, 65 Stat. 647.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in the text, is classified to chapter 20 of this title.

§ 1613c. Expenses chargeable to local-currency funds.

In every recipient country where local currency is made available for local currency expenses of the United States in connection with assistance furnished by the United States, the local currency administrative and operating expenses incurred in the administration of this chapter shall be charged to such local currency funds to the extent available. (Oct. 26, 1951, ch. 575, title III, § 304, 65 Stat. 647.)

Chapter 21.—SETTLEMENT OF INTERNATIONAL CLAIMS

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1621. Definitions.

1622. Establishment of Commission.

- (a) Composition; appointment and compensation; chairman; quorum; acting members.
- (b) Principal office; appointment and compensation of personnel.
- (c) Rules and regulations; termination date; removal of personnel; reports.

1623. Claims.

- (a) Jurisdiction of Commission.
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- (g) Representation by United States; payments.
- (h) Notification of disposition of claims; right to hearing; finality of Commission's decision.
- (i) Separation of awards.
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1624. Certification of awards; certification of claims.

1625. Completion of Yugoslavian claims by March 10, 1954; other claims unaffected.

1626. Payments.

- (a) Principal and interest; regulations.
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 - (f) Non-assumption of liability by United States on claims against foreign governments.
1627. Creation of special funds in Treasury.
- (a) Credits to, and payment from funds.
 - (b) Credits to Yugoslav Claims Fund; credits to other funds.
 - (c) Payment of awards.
 - (d) Payment of balance to Yugoslav Government; certification of adjudication costs; finality of certification.

§ 1621. Definitions.

For the purposes of this chapter—

(a) The term "person" shall include an individual, partnership, corporation, or the Government of the United States.

(b) The term "United States" when used in a geographical sense shall include the United States, its Territories and insular possessions, and the Canal Zone.

(c) The term "nationals of the United States" includes (1) persons who are citizens of the United